

Conley Expected to Plead Guilty and Ask Coury's Mercy

It is expected that Jim Conley, the negro whose testimony featured the trial of Leo M. Frank, will be taken before Judge Ben H. Hill, in the Fulton County Criminal Court, Tuesday morning and plead guilty to the charges against him as accessory to the killing of Mary Phagan.

The attorneys for Conley have not stated whether they will go to a trial or whether they simply will have the negro plead guilty and ask for the mercy of the court. At the Solicitor's office, though, it is understood he will plead guilty.

Conley has been in solitary confinement at the county jail since the first day he took the stand in the Frank trial. An order, which was issued by Judge Roan that night, that he be not allowed to see or talk to anyone, never has been removed.

**DELAY OF
FRANK
HEARING IN
HIGH
COURT
DENIED**

Case Comes Up at December Term if It Reaches Tribunal By First of Month.

Luther Rosser and Reuben Arnold, representing Leo Frank, and E. A. Stephens, representing the Solicitor General, appeared before the Supreme Court to-day, and asked that arguments in the Frank case be postponed until the January term of the court, in the event the bill of exceptions reached the Supreme Court in time for the December call of the docket for argument.

The Supreme Court declined to grant the request, which means that if the case reaches the court before December 1, it will be set for argument on December 15.

If it reaches the court after December 1, however, it automatically will go over to the January term.

The plea made to the court by both sides was that more time is needed to prepare the arguments and that it would work more surely to the ends of justice to have the hearing postponed.

The court took the position, however, that it could make no exception in any manner to the regular proceeding in behalf of the Frank case. It was held that it must take its turn along with other matters of greater or less importance.

This means that the arguments in the famous case likely will be heard in December, as there is slight probability that the appeal will not reach the highest court of review in the State well in advance of December 15.

And it will not be possible for either side to delay sending the appeal up, unless the side responsible for the delay is ready to account for it by good and sufficient reasons.

Neither side is apt to take any sort of chance with the Supreme Court by giving the matter that direction.

Under the ruling of the court, announced to-day, both sides will proceed to prepare for argument in December.

Of course, after the case is argued, it will be from three to nine months before a final decision may be expected.

PDF PAGE 32, COLUMN 5

Newspaper Comment On the Frank Case

“UNCALLED FOR.”

(From Rochelle New Era.)

People are deceived in Judge Roan on account of the remarks he made in refusing a new trial to Leo M. Frank, convicted of the murder of Mary Phagan in Atlanta. The remarks were seemingly uncalled for, and were indiscreet, to say the least. He has not made himself any friends by his act.

“SAYS HE DOESN’T KNOW.”

(From Greensboro Herald-Journal.)

And, Judge Roan, who presided at the trial, says he doesn’t know that Frank is guilty of the murder of little Mary Phagan. We are surprised at Judge Roan’s ignorance. Why, there are plenty of people right here in Greensboro, Greene County, and elsewhere that know better than that. Why, they’ve never heard one word of evidence, as Judge Roan did, but they know absolutely that Frank is guilty. There are some mighty smart people in this world.

“FRANK’S HOPE.”

(From Thomasville Times-Enterprise.)

Frank is getting a lot of hope out of Judge Roan’s assertion that he was in doubt, but Judge Roan was not in doubt enough to grant a new trial.
